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## **FACSIMILE TRANSMISSION**

TO: Examiner Derrick G. Hamlin DATE: May 16, 2005  
Art Unit 1751

FROM: Stephen S. Ashley, Jr. FACSIMILE NO: (703) 872-9306  
Reg. No. 47,394

RE: Our File No. 3216/1; U.S. Patent Application Serial No. 10/799,081 for  
"FUEL CELL STACK COOLANT COMPOSITION"

**CONFIRMATION COPY  
TO FOLLOW:**

YES                  NO ✓

**NUMBER OF PAGES:** Cover + 16

**MESSAGE:** Please see the Response for U.S. Serial No. 10/799,081 filed in reply to Office Action dated 12/16/2004.

**Also, please confirm receipt of this facsimile. Thank you.**

If any problems in transmission occur, please contact Cecilia M. Sidebottom, Legal Assistant.

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

10799,081

Filing Date

03/12/2004

First Named Inventor

ABE, Saburou

Art Unit

1751

Examiner Name

Hamlin, D.

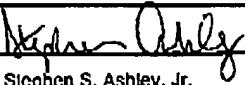
Attorney Docket Number

3216/1

### ENCLOSURES (Check all that apply)

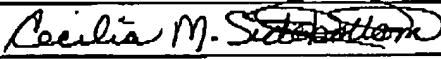
|   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation<br><input checked="" type="checkbox"/> Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br>Statements under 37 CFR 3.73(b) for Nissan Motor Co. and Shishsei-Kabushikigaisha; Facsimile Cover Sheet |
| <b>Remarks</b><br><small>If there are any additional fees due in connection with this matter, please charge Deposit Acct. No. 01-0265.</small>  |  |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | ADAMS EVANS P.A.  |          |        |
| Signature    |  |          |        |
| Printed name | Stephen S. Ashley, Jr.  |          |        |
| Date         | 05/16/2005  | Reg. No. | 47,394 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |   |      |            |
|-----------------------|---|------|------------|
| Signature             |  |      |            |
| Typed or printed name | Cecilia M. Sidebottom   | Date | 05/16/2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. GMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Effective on 12/08/2004.**  
**Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**  
**FEE TRANSMITTAL**  
**For FY 2005**

Applicant claims small entity status. See 37 CFR 1.27

|                         |      |     |
|-------------------------|------|-----|
| TOTAL AMOUNT OF PAYMENT | (\$) | 450 |
|-------------------------|------|-----|

**Complete if Known**

|                      |              |
|----------------------|--------------|
| Application Number   | 10/799,081   |
| Filing Date          | 03/12/2004   |
| First Named Inventor | ABE, Saburou |
| Examiner Name        | Hamlin, D.   |
| Art Unit             | 1751         |
| Attorney Docket No.  | 3216/1       |

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 01-0265 Deposit Account Name: Adams Evans P.A.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Application Type</u> | <u>FILING FEES</u> |                 | <u>SEARCH FEES</u> |                 | <u>EXAMINATION FEES</u> |                 | <u>Fees Paid (\$)</u> |
|-------------------------|--------------------|-----------------|--------------------|-----------------|-------------------------|-----------------|-----------------------|
|                         | <u>Fee (\$)</u>    | <u>Fee (\$)</u> | <u>Fee (\$)</u>    | <u>Fee (\$)</u> | <u>Fee (\$)</u>         | <u>Fee (\$)</u> |                       |
| Utility                 | 300                | 150             | 500                | 250             | 200                     | 100             | _____                 |
| Design                  | 200                | 100             | 100                | 50              | 130                     | 65              | _____                 |
| Plant                   | 200                | 100             | 300                | 150             | 160                     | 80              | _____                 |
| Reissue                 | 300                | 150             | 500                | 250             | 600                     | 300             | _____                 |
| Provisional             | 200                | 100             | 0                  | .0              | 0                       | 0               | _____                 |

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

Small EntityFee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total ClaimsExtra ClaimsFee (\$)Fee Paid (\$)Multiple Dependent ClaimsFee (\$)Fee Paid (\$)

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

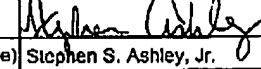
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Two Month Extension of Time

Fees Paid (\$)

450

**SUBMITTED BY**

|                   |   |                                      |                        |
|-------------------|---|--------------------------------------|------------------------|
| Signature         |  | Registration No.<br>(Attorney/Agent) | Telephone 704-375-9249 |
| Name (Print/Type) | Stephen S. Ashley, Jr.  |                                      | Date 05/16/2005        |

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10,799,081  
Applicant : ABE, Saburou et al.  
Filed : 03/12/2004  
Title : FUEL CELL STACK COOLANT COMPOSITION  
TC/A.U. : 1751  
Examiner : HAMLIN, Derrick G.  
Docket No. : 3216/1  
Customer No. : 23638

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT

Sir:

In response to the Office action mailed December 16, 2004, please amend the above-identified application as follows:

**Amendments to the Specification** are not being submitted at this time.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Amendments to the Drawings** are not included with this Preliminary Amendment with confirmation of same on page 7.

**Remarks/Arguments** begin on page 8 of this paper.